



TAXPAYER'S GUIDE TO LOCAL PROPERTY TAX EXEMPTIONS

VETERANS

Clauses 22, 22A, 22B, 22C, 22D, 22E, PARAPLEGICS

The Department of Revenue (DOR) has created this fact sheet to provide general information about local property tax exemptions for veterans. It is not designed to address all questions or issues and does not change any provision of the Massachusetts General Laws. **To find out about the specific eligibility and application requirements in your city or town, you must contact your local board of assessors.** The DOR cannot advise you about your eligibility. Property taxes are assessed and collected by cities and towns, not by the DOR. Under state law, only your board of assessors, as the local tax administrator, can decide whether you qualify for an exemption. If you disagree with its decision, you may appeal to the state Appellate Tax Board (or county commissioners if your county's government has not been abolished).

INTRODUCTION

Cities and towns may give property tax exemptions to some individuals as defined by state law. An exemption discharges the taxpayer from the legal obligation to pay all or a portion of the tax. Exemptions are found in various clauses of Massachusetts General Laws Chapter 59, Section 5 (M.G.L. c. 59, § 5).

Clauses 22, 22A, 22B, 22C, 22D and 22E provide exemptions to veterans who meet specific residency, occupancy, ownership, disability or other requirements and were not dishonorably discharged, and their spouses, surviving spouses or surviving parents.

APPLICATIONS	You must file an application each year with the assessors in the city or town where your property is located. The application is due on December 15, or three months after the actual tax bills are mailed, whichever is later. <i>Filing on time is required. By law, the assessors may not waive this filing deadline, nor act on a late application, for any reason.</i> Filing an application does not entitle you to delay your tax payment.
DOCUMENTATION	You must provide the assessors with whatever information is reasonably required to establish eligibility. This information may include, but is not limited to: <ol style="list-style-type: none">1. Evidence of residency, ownership, domicile and occupancy.2. Certification of a service-connected disability from the U.S. Department of Veterans Affairs (VA) or branch of U.S. military service from which discharged.

For more information, please contact your local assessors.

NUMBER OF EXEMPTIONS	With limited exceptions, you may only receive one exemption under M.G.L. c. 59, § 5. If you qualify for more than one, you will receive the one that provides the greatest benefit. You may receive an exemption and if qualified, defer all or a part of the balance of the reduced tax.
ELIGIBILITY REQUIREMENTS	You must satisfy tests relating to residency, domicile, ownership and service-connected disability or awards. All eligibility requirements must be met as of July 1 of the tax year. (<i>The fiscal year of cities and towns begins July 1 and ends the following June 30.</i>)
RESIDENCY	Veterans must have (1) been domiciled in Massachusetts for at least 6 consecutive months before entering the service, <u>or</u> (2) lived in Massachusetts for at least 5 consecutive years before the tax year begins (or at least 1 consecutive year before the tax year begins, if the legislative body of your city or town has voted, subject to local charter, to accept this local option).
DOMICILE	You must occupy the property as your domicile. If you are a spouse of a veteran, you and the veteran must occupy the property as your domicile. Your domicile is where your principal and legal home is located, your family, social, civic and economic life is centered and you plan to return whenever you are away. You may have more than one residence, but only one domicile.
OWNERSHIP	<p>You must own the property.</p> <ol style="list-style-type: none"> 1. Your ownership interest must be worth at least an amount ranging from \$2,000 to \$10,000, depending on the exemption. You may own this interest solely, as a joint owner or as a tenant in common. 2. If you hold a life estate in the domicile, you are the owner. 3. If your domicile is held in a trust, you are the owner only if: <ol style="list-style-type: none"> a. You are a trustee or co-trustee of that trust, and b. You have a sufficient beneficial interest in the domicile.
WHO IS ELIGIBLE AND EXEMPTION AMOUNTS	
Clause 22 - \$400	<ol style="list-style-type: none"> 1. Veterans with a service-connected disability of 10% or more. 2. Veterans awarded the Purple Heart. 3. Gold Star Parents. 4. Spouses (where the domicile is owned by the veteran's spouse), and surviving spouses (who have never remarried), of veterans entitled to exemption under Clause 22. 5. Surviving spouses (who have never remarried) of World War I veterans so long as their assets (whole worth), less any mortgage on the property, do not exceed \$20,000.

Clause 22A - \$750	<ol style="list-style-type: none"> 1. Veterans who (1) suffered in the line of duty the loss or permanent loss of use of one foot or one hand or one eye, or (2) received the Congressional Medal of Honor, Distinguished Service Cross, Navy Cross or Air Force Cross. 2. Spouses (where veteran's spouse owns the domicile) or surviving spouses of veterans entitled to exemption under Clause 22A.
Clause 22B - \$1,250	<ol style="list-style-type: none"> 1. Veterans who suffered in the line of duty the loss or permanent loss of use of both feet, both hands or both eyes. 2. Spouses (where veteran's spouse owns the domicile) or surviving spouses of veterans entitled to exemption under Clause 22B.
Clause 22C - \$1,500	<ol style="list-style-type: none"> 1. Veterans who suffered total disability in the line of duty and received assistance in acquiring "specially adapted housing" which they own and occupy as their domicile. 2. Spouses (where veteran's spouse owns the domicile) or surviving spouses of veterans entitled to exemption under Clause 22C.
Clause 22D – Full	<p>Surviving spouses (who have never remarried) of soldiers, sailors and guardsmen who died as a proximate result of a combat injury or disease, or who are missing and presumed dead due to combat.</p> <p>A surviving spouse must have lived in Massachusetts for at least 5 consecutive years before the tax year begins (or lived in Massachusetts for at least 1 consecutive year before the tax year begins, if the legislative body of your city or town has voted to accept this local option). If not, the deceased soldier, sailor or guardsmen had to have been domiciled in Massachusetts for at least 6 consecutive months before entering the service.</p> <p>Surviving spouses of soldiers, sailors or guardsmen who died or were presumed dead from combat on or after September 11, 2001 may also receive retroactive exemptions beginning as early as fiscal year 2003. Eligibility depends on the date of death or presumed death, and the satisfaction of all other qualifications.</p>
Clause 22E - \$1,000	<ol style="list-style-type: none"> 1. Veterans who have a service connected disability of 100%. 2. Spouses (where veteran's spouse owns the domicile) or surviving spouses of veterans entitled to exemption under Clause 22E.
Paraplegics - Full	<ol style="list-style-type: none"> 1. Veterans who are paraplegics. 2. Surviving spouses of veterans entitled to exemption as paraplegics.
<p>Clause 22A, 22B, 22C, 22E and Paraplegic exemptions are prorated for a domicile greater than a single-family house. The exemption is the same percentage of the tax as the part of the house occupied by the veteran, or if deceased, the surviving spouse, for example, 50% if one unit of a two-family house is occupied by the veteran or surviving spouse.</p>	

APPEALS	
Appellate Tax Board	<p>The Appellate Tax Board (ATB) is an independent, quasi-judicial state board that hears taxpayer appeals from local assessors' decisions on property tax abatements and exemptions. If county government has not been abolished, appeals may be made to the county commissioners instead, but assessors may and usually do transfer those appeals to the ATB. ATB decisions may be appealed to the Appeals Court and, ultimately, to the Supreme Judicial Court.</p> <p>You can obtain the ATB's <u>guide</u> to the property tax appeal process from its website (www.mass.gov/atb) or by calling 617-727-3100.</p>
Appeal of Action of Assessors	<p>You have three months from the date of the assessors' decision on your exemption application to appeal to the ATB. If the application was deemed denied, your appeal must be filed within three months of the deemed denied date. The ATB cannot hear the appeal if it is not filed within the deadline. As a general rule, if the real estate tax on your domicile is over \$3,000, you must also have paid each actual tax installment on time.</p>
ASSESSMENT AND EXEMPTION CALENDAR	
January 1	Property Tax Assessment Date for Next Fiscal Year
July 1	<p>Fiscal Year Begins</p> <p>Real Estate Exemption Eligibility Date for Fiscal Year</p>
October - December	Actual Tax Bills Mailed for Fiscal Year
November 1 (Semi-annual Payment Communities) February 1 (Quarterly Payment Communities)	1 st Actual Tax Installment Payment Due ¹
December 15, or 3 Calendar Months from Mailing of Actual Tax Bill if later	Personal Exemption Applications to Assessors Due ²

¹ Contact your assessors. The due date depends on the payment system used in your community and the date actual tax bills were mailed for fiscal year.

² Some assessors may accept applications before actual tax bills are mailed. If not, or your application is not approved, you must apply by this deadline to claim the exemption.

3 Calendar Months from Filing of Application (or Date of Written Extension Given by Taxpayer)	Assessors Grant or Deny Exemption Application Deemed Denied if Assessors Have Not Acted
3 Calendar Months from Assessors' Action on Application, or Deemed Denial of Application	Appeal to ATB Due